

No. 40, "An act to repeal article 1277 and to amend article 1278 of the Revised Statutes of Texas, relating to continuances."

Respectfully,
LEE J. ROUNTREE, Chief Clerk.

IN SENATE.

The above reported House bill, No. 263, was read first time, and referred to Judiciary Committee No. 2.

Senator Harrison moved that the Senate take a recess to 8:15 this evening.

Senator Kerr moved to adjourn to 10 a. m. to-morrow.

The Senate adjourned to 10 a. m. to-morrow.

SEVENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, Saturday, April 17.

Senate met pursuant to adjournment.

President Pro Tem. Dibrell in the chair.

Roll called.

No quorum, the following Senators answering to their names:

Atlee.	Kerr.
Beall.	Lewis.
Burns.	Morriss.
Colquitt.	Presler.
Darwin.	Rogers.
Dibrell.	Ross.
Goss.	Stone.
Gough.	Wayland.
Greer.	Woods.
Harrison.	

Absent.

Bowser.	Tillett.
Linn of Wharton.	Turney.
Neal.	Yett.
Stafford.	

Excused.

Bailey.	Terrell.
Boren.	Yantis.
Linn of Victoria.	

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: This morning we reverently bow our heads in token of our loyalty to Thee, and pray that Thy presence may be manifest in this chamber. According to the need of each, may divine light and strength be given, that the presiding officer and members may act with wisdom and discretion, firmness and courage. May their deliberations and actions be

wise and cautious, broad and liberal, just and thorough, that the peace and safety and many important interests of this State may be advanced and protected. Bless all the departments of our State government, and especially do we pray Thee to bless Governor Culberson, who is absent from the State. In Thy tender sympathy and loving compassion, remember his sick wife. In Thy grace, so influence and inspire the minds of her physicians that some sweet balm may be found that shall restore her to health. Comfort and sustain them both in this hour of anxiety, and may the guardian angels of the Lord attend their journeying homeward. Bless Lieutenant-Governor Jester in his delicate, difficult and responsible duties as chief executive. We pray for our institutions; our schools and colleges, hospitals and asylums, prisons and reformatories, homes for the orphan, the aged and infirm, the destitute and fallen. We pray for Thy church, the real church, the church of Christ. May the shechinah rest upon it in radiant splendor, militant power, and great billows of salvation, that the gates of hell shall not prevail against it. Bless all those churches that are spending the divine force in warring for Satan, in mutual hindrances, envyings and jealousies. We pray that Christ may again cast out of the temples the sellers of oxen, and even of doves; and that there shall be some places where men may know the lore of divine love, and where the power of God shall be felt in its purity. Though the way seems long and the prospect dark, we beseech Thee to let the angels keep on singing, "Peace on earth, good will to men," until all shall have heard, then feebly imitate and at last love. And with every nation, people and tongue, we will join the glad acclaim, "Praise Father, Son and Holy Ghost." Amen.

Senator Atlee moved a call of the Senate for the purpose of securing a quorum, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Kerr.
Beall.	Lewis.
Burns.	Morriss.
Colquitt.	Presler.
Darwin.	Rogers.
Dibrell.	Ross.
Goss.	Stone.
Gough.	Wayland.
Greer.	Woods.
Harrison.	

Absent.

Bowser. Tillett.
Linn of Wharton. Turney.
Neal. Yett.
Stafford.

Excused.

Bailey. Terrell.
Boren. Yantis.
Linn of Victoria.

The Sergeant-at-Arms was instructed to bring in those absent Senators who were in the city.

Senator Tillett was announced.

Senator Boren was announced.

Quorum announced present.

Pending the reading of the Journal of yesterday,

On motion of Senator Harrison, the same was dispensed with.

On motion of Senator Greer,

Senator Turney was excused from attendance upon the Senate for to-day and Monday next.

COMMITTEE REPORTS.**Committee Room,**

Austin, Texas, April 17, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 352, a bill to be entitled "An act to amend articles 4351 and 4354 of chapter 1, title XCIV of the Revised Civil Statutes, and to add to said chapter an article to be known as article 4351a."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Texas, April 17, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 353, a bill to be entitled "An act to amend article 4584f of chapter 14, of title XCIV, of the Revised Civil Statutes, regulating the issuance of bonds by railroad companies."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Texas, April 17, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 361, a bill to be entitled "An act to authorize and empower cities having more than ten thousand inhabitants to make provision for the payment of debts lawfully incurred prior to January 1, 1897."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Texas, April 16, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 362, entitled "An act to amend article 1537, chapter 2, title 32, of the Revised Civil Statutes of Texas, adopted and established by the Twenty-fourth Legislature, in regular session, 1895, relating to the powers and duties of commissioners courts,"

And find the same correctly engrossed.

GOUGH, Chairman.

Call concluded.

HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,
Austin, Texas, April 16, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 456, a bill to be entitled "An act to amend subdivision 13, article 22, title 4 of the Revised Civil Statutes of the State of Texas, and to change and fix the times of holding courts in the Thirteenth Judicial District of Texas."

House bill No. 391, a bill to be entitled "An act to relinquish the title and confirm the patents to certain lands therein named."

Also, that the House has concurred in the Senate amendments to House bill No. 518.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

IN SENATE.

The above reported House bills were read first time, and referred as follows:

House bill No. 518, to the Committee on Judicial Districts.

House bill No. 391, to the Committee on Public Lands.

On motion of Senator Colquitt, pending business was suspended to take up on second reading,

Senate bill No. 354, a bill to be entitled "An act to validate the incorporation, and to declare valid the acts, of towns and villages heretofore regularly incorporated for free school purposes having within their limits towns incorporated for municipal purposes, which latter had ceased to exercise their functions as such, and to provide that such towns and villages incorporated for free school purposes shall have exclusive control of the public free schools within their limits, and to repeal all laws in conflict."

Bill read second time.

By Senator Colquitt:

Amend the title by inserting after the word "such," in line 9, the following words, "or which had not assumed control of the public schools within their limits."

Adopted.

By Senator Colquitt:

Amend section 1, line 18, by inserting after the word "corporation," the following, "or which had not assumed control of the public schools within their limits."

Adopted.

Bill as amended ordered engrossed.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Kerr.
Beall.	Lewis.
Boren.	Morriss.
Burns.	Presler.
Colquitt.	Rogers.
Darwin.	Ross.
Dibrell.	Stone.
Goss.	Tillett.
Gough.	Wayland.
Greer.	Woods.
Harrison.	

Nays—none.

Absent.

Bailey.	Neal.
Bowser.	Stafford.
Linn of Wharton.	Yett.

Excused.

Linn of Victoria.	Terrell.
Turney.	Yantis.

Bill read third time, and passed by the following vote:

Yeas—21.

Atlee.	Kerr.
Beall.	Lewis.
Boren.	Morriss.
Burns.	Presler.
Colquitt.	Rogers.
Darwin.	Ross.
Dibrell.	Stone.
Goss.	Tillett.
Gough.	Wayland.
Greer.	Woods.
Harrison.	

Nays—none.

Absent.

Bailey.	Neal.
Bowser.	Stafford.
Linn of Wharton.	Yett.

Excused.

Linn of Victoria.	Terrell.
Turney.	Yantis.

On motion of Senator Lewis, pending business was suspended to take up on second reading,

Senate bill No. 351, a bill to be entitled "An act to amend articles 641 and 642, chapter 2, title XXI, of the Revised Civil Statutes of Texas, relating to the creation of corporations."

Bill read second time.

By Senator Rogers:

Amend page 5, section 37, by striking out all after the word "company" in line 6, and insert in lieu thereof the following: "Provided, that guaranty and fidelity companies, organized under the provisions of this section, shall have a paid up capital stock of not less than \$100,000, and shall keep on deposit with the State treasurer money, bonds or other securities in amount not less than \$50,000, said securities to be approved by the Commissioner of Agriculture, Insurance, Statistics and History, and that this amount shall be kept intact at all times."

Adopted.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—18.

Atlee.	Lewis.
Beall.	Morriss.
Boren.	Presler.

Burns.	Rogers.
Dibrell.	Ross.
Goss.	Stone.
Gough.	Tillett.
Greer.	Wayland.
Kerr.	Woods.

Nays—3.

Colquitt.	Harrison.
Darwin.	

Absent.

Bailey.	Neal.
Bowser.	Stafford.
Linn of Wharton.	Yett.

Excused.

Linn of Victoria.	Terrell.
Turney.	Yantis.

Bill read third time and passed.

On motion of Senator Burns, pending business was suspended to take up on second reading,

Senate bill No. 321, a bill to be entitled "An act to exempt infirm and aged ex-soldiers from the payment of occupation tax as peddlers,"

By the following vote:

Yeas—14.

Atlee.	Greer.
Beall.	Lewis.
Burns.	Ross.
Colquitt.	Stone.
Darwin.	Tillett.
Dibrell.	Wayland.
Goss.	Woods.

Nays—7.

Boren.	Morriss.
Gough.	Presler.
Harrison.	Rogers.
Kerr.	

Absent.

Bailey.	Neal.
Bowser.	Stafford.
Linn of Wharton.	Yett.

Excused.

Linn of Victoria.	Terrell.
Turney.	Yantis.

Bill read second time, and ordered engrossed.

Senator Greer moved that the pending business be suspended to take up on third reading,

Substitute Senate bill No. 195, a bill to be entitled "An act making the fathers of illegitimate children liable for their support and maintenance, and providing for means to recover of such fathers money for that purpose, and regulating the application and expenditure of the same."

Lost by the following vote:

Yeas—6.

Atlee.	Greer.
Beall.	Rogers.
Burns.	Tillett.

Nays—15.

Boren.	Lewis.
Colquitt.	Morriss.
Darwin.	Presler.
Dibrell.	Ross.
Goss.	Stone.
Gough.	Wayland.
Harrison.	Woods.
Kerr.	

Absent.

Bailey.	Neal.
Bowser.	Stafford.
Linn of Wharton.	Yett.

Excused.

Linn of Victoria.	Terrell.
Turney.	Yantis.

PENDING BUSINESS.

The Chair laid before the Senate, as pending business,

Senate bill No. 258, a bill to be entitled "An act to empower the State Board of Education to procure, for use in the public free schools of the State of Texas, a series of uniform text-books; defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain misdemeanors, providing penalties for the violation of the provisions of this act, and declaring an emergency,"

Action being on the adoption of the substitute offered by Senator Beall for the amendment offered by Senator Ross (see Journal of yesterday).

Senator Kerr moved that the Senate adjourn to 10 a. m. Monday.

Senator Darwin moved as a substitute that the Senate adjourn to 3 p. m. to-day.

The Senate adjourned to 10 a. m. Monday.

SEVENTY-FIFTH DAY.

Senate Chamber,
Austin, Tex., Monday, April 19,

Senate met pursuant to adjournment, and called to order by Secretary Will Lambert.

Roll called. No quorum, the following Senators answering to their names:

Bailey.	Goss.
Beall.	Gough.
Bowser.	Greer.
Burns.	Harrison.
Darwin.	Kerr.